

### **REMARKS**

The Non-Final Office Action mailed March 6, 2009 considered claims 1-30. Claims 1-16, 28, and 30 were rejected under 35 U.S.C. § 101 because the claimed invention was directed to non-statutory subject matter. Claims 17-27 were rejected under 35 U.S.C. § 101 as not falling within one of the four statutory categories of invention. Claims 1-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maurille et al., U.S. Patent No. 6,484,196 (filed Mar. 20, 1998) (hereinafter Maurille) in view of Wiser et al., U.S. Patent No. 6,988,099 (filed May 29, 2003) (hereinafter Wiser).<sup>1</sup>

By this response, claims 17, 19, 22, and 29 are amended and claims 1-16, 26-28, and 30 are cancelled. Claims 17-25 and 29 remain pending. Claims 17, 22, and 29 are independent claims which remain at issue. Support for the amendments may be found within Specification ¶¶ 0029-0037.<sup>2</sup>

As reflected in the claims, the present invention is directed generally toward embodiments for facilitating exclusive in-order processing of related messages. Claim 17 recites, for instance, in combination with all the elements of the claim, a method for facilitating message processing. The method includes requesting one or more messages and determining from information associated with the messages that each of the messages belongs to a conversation group. The messages are linked by a group identifier and the conversation group is locked to prevent another requestor from accessing any of the messages. The method then provides exclusive access to the messages.

Claim 22 recites, in combination with all the elements of the claim, another method for facilitating message processing. This method includes receiving a request for a message and determining from information associated with the message that message belongs to a conversation group. The message and other related messages are then associated with a conversation group. The conversation group is locked using a group identifier and exclusive access to the messages of the group is provided to the requestor.

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<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> Please note that the paragraph numbers are taken from the published application, U.S. Pat. Pub. No. 2005/0198127 (Sep. 8, 2005). Please also note that the present invention and claims as recited take support from the entire Specification. As such, no particular part of the Specification should be considered separately from the entirety of the Specification.

Claim 29 recites a computer program product which incorporates instructions for carrying out the method of claim 17.

Independent claims 17 and 22 (as well as the respective dependent claims) were rejected under 35 U.S.C. § 101 as being directed toward non-statutory subject matter.<sup>3</sup> In particular, the method claims were not tied to a particular machine or did not transform underlying subject matter.<sup>4</sup> Both independent claims 17 and 22 have now been amended to tie the recited methods to a particular computer. Accordingly, the Applicants respectfully request the rejection under 35 U.S.C. § 101 be withdrawn.

Independent claim 17 was rejected under 35 U.S.C. § 103 as being unpatentable in view of Maurille and in view of Wiser. The claims has now been amended and the Applicants submit that the cited references fail to teach or suggest all the limitations of the claim as now presented.

In particular, the cited references fail to teach or suggest determining from information associated with the one or more messages that each of the one or more messages belongs to a conversation group. The cited references also fail to teach or suggest linking the one or more messages by a group identifier. The cited references also fail to teach or suggest locking the conversation group, the lock preventing a disparate requestor from accessing the one or more messages.

Because of the distinctions noted, *inter alia*, the Applicants submit that a rejection of claim 17 under 35 U.S.C. § 103 as unpatentable in view of Maurille and in view of Wiser would be improper and should be withdrawn. Accordingly, the Applicants respectfully request favorable reconsideration of claim 17 (as well as the respective dependent claims).

Independent claim 22 was rejected under 35 U.S.C. § 103 as being unpatentable in view of Maurille and in view of Wiser. The claims has now been amended and the Applicants submit that the cited references fail to teach or suggest all the limitations of the claim as now presented.

In particular, the cited references fail to teach or suggest determining from information associated with the message that message belongs to a conversation group. The cited references also fail to teach or suggest associating the message and other related messages with a conversation group. The cited references also fail to teach or suggest locking the conversation

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<sup>3</sup> Office Communication p. 2 (paper no. 20090208, Mar. 6, 2009).

<sup>4</sup> Office Comm. p. 2.

group via a conversation group identifier. The cited references also fail to teach or suggest providing exclusive access to one or more messages of the conversation group to the requestor.

Because of the distinctions noted, *inter alia*, the Applicants submit that a rejection of claim 22 under 35 U.S.C. § 103 as unpatentable in view of Maurille and in view of Wisner would be improper and should be withdrawn. Accordingly, the Applicants respectfully request favorable reconsideration of claim 22 (as well as the respective dependent claims).

Independent claim 29 recites a computer program product embodiment of the method of claim 17. Correspondingly, the distinctions noted with respect to claim 17 above also apply to the now-amended claim 29. Accordingly, the Applicants submit that a rejection of claim 29 under 35 U.S.C. § 103 as unpatentable in view of Maurille and in view of Wisner would be improper and should be withdrawn. Accordingly, the Applicants respectfully request favorable reconsideration of claim 29.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 6<sup>th</sup> day of July, 2009.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom M. Bonacci". The signature is fluid and cursive, with a large, stylized "T" and "B".

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